



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF REGIONAL OFFICES
BUFFALO REGIONAL OFFICE

January 13, 2023

Via ECF

Hon. John L. Sinatra, Jr.
United States District Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York

Re: **Hardaway, et al., v. Nigrelli, et al.**
Case No. 22-cv-00771

Dear Judge Sinatra,

Plaintiffs and Defendant Nigrelli are in the process of conferring regarding a proposed stipulation to stay these proceedings. Discussions have been ongoing for approximately a week and yesterday Defendants transmitted a draft stipulation to Plaintiffs with the anticipation of receiving finalized edits. The goal was to finalize the stipulated stay language, in lieu of Defendant filing a Reply to Plaintiff's Response to Defendant's Motion to Dismiss. Defendant Nigrelli is still waiting on Plaintiff's proposed edits.

Because the goal of any filed stipulation would be the preservation of judicial resources, while the parties await rulings from the Second Circuit in *Antonyuk v. Hochul*, No. 22-2908 and *Hardaway v. Nigrelli*, No. 22-2933, Defendants respectfully request additional time to file a Reply to Plaintiff's Response to Defendant's Motion to Dismiss. Plaintiff's counsel had previously indicated that if the parties were unable to reach an agreement on proposed stay language that Plaintiff would be amenable to Defendants having additional time to file said Reply.

Defendants anticipate providing proposed stay language as soon as edits are finalized between the parties.

Respectfully Yours,

/s/ *Ryan L. Belka*

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